

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

JARI MCPHERSON and §
JERALD SAMS, and DANIEL §
MARTINEZ, §
Plaintiffs, §
§
v. §
§
TEXAS DEPARTMENT OF §
PUBLIC SAFETY, and Director Steven §
C. McCraw, in his official capacity, §
Defendants. §

Case No. 1:20-cv-01223-DAE

PLAINTIFFS' UNOPPOSED MOTION FOR LEAVE TO EXCEED PAGE LIMIT

TO THE HONORABLE JUDGE EZRA:

Plaintiffs respectfully move the Court for leave to exceed the 20-page limit¹ for a response to a motion for summary judgment to 45 pages, and would show as follows:

1. This case and Defendants' motion for summary judgment relate to the claims from the three Plaintiffs involving some similar core issues of fact, law, and personnel as well as multiple distinctions.
2. The parties have taken more than 20 depositions and have exchanged tens of thousands of pages of production. As such, there is a substantial amount of information to present in support of the Plaintiffs' claims in response to the Defendants' motion for summary judgment.
3. The Plaintiffs do not seek a full 20 pages of response for each of the three pages, but the Plaintiffs reasonably require additional pages to adequately present the factual and legal

¹ Local Rule CV-7.D.3

support for their claims to provide the Court with sufficient context to review their claims and associated evidence and rule on this motion.

4. As such, the Plaintiffs respectfully request a total of 45 pages for their response.
5. Defendants' counsel has communicated that Defendant is not opposed to this motion.

CONCLUSION

6. The Plaintiffs respectfully request that the Court grant leave to the Plaintiffs to file their response to Defendants' motion for summary judgment at a page limit not to exceed 45 pages and such other and further relief to which the Court determines is just and equitable in this case.

Respectfully submitted,

Leonard Mungo
Mungo & Mungo At Law, PLLC
31700 Telegraph Rd., Ste 250
Bingham Farms, MI 48025
caseaction@mungoatlaw.com
(248)792 7557
LEAD ATTORNEY FOR PLAINTIFFS

/s/ Robert Notzon

Robert Notzon
The Law Office of Robert Notzon
Texas Bar No. 00797934
1502 West Avenue
Austin, Texas 78701
Robert@NotzonLaw.com
(512) 474-7563

Joseph Lucas
Skupin & Lucas, P.C.
290 Town Center Dr., Ste 324
Dearborn, MI 48126
jlcas@skupinandlucas.com
(313) 961 04325
CO-COUNSEL FOR PLAINTIFFS

CERTIFICATE OF CONFERENCE

I conferred with TxDPS's counsel of record, Mr. Harris, via email on May 22, 2023² regarding TxDPS's position as to this motion. TxDPS is unopposed to Plaintiffs' motion.

/s/ Robert Notzon
Robert Notzon

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing instrument has been sent by electronic notification to all counsel of record through ECF by the United States District Court, Western District of Texas, Austin Division, on June 2, 2023 to:

Drew Harris, Assistant Attorney General
General Litigation Division
300 W. 15th Street, 11th Floor
Austin, Texas 78701
Drew.Harris@oag.texas.gov

/s/ Robert Notzon
Robert Notzon

² The Plaintiffs did not move for the extended page limit on May 22nd due to the ECF filing requirement that the subject document to be extended be attached as an exhibit to this motion.